

REMARKS/ARGUMENTS

The Office Action mailed September 19, 2005 has been carefully reviewed. Reconsideration of this application, as amended and in view of the following remarks, is respectfully requested. The claims presented for examination are: claims 1-62.

Allowable Subject Matter

In numbered paragraph 13 of the Office Action mailed September 19, 2005, claims 10, 17-18, 31, 38-40, 52, and 59-60 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants' Response to Paragraph 13 - Allowable Subject Matter

It is Applicants' intention to address issues related to the allowable claims 10, 17-18, 31, 38-40, 52, and 59-60 and to cancel the rejected claims in order to place the application in condition for allowance.

Allowable Claims 10, 17, and 18

Allowable claims 10, 17, and 18 all depend from independent claim 1. Applicants have amended independent claim 1 to incorporate all of the limitations of claim 10 and to overcome the 35 U.S.C. 112, second paragraph rejection stated in numbered paragraph 5 of the Office Action mailed September 19, 2005. Original claim 10 has been cancelled. With these amendments, amended claim 1 now is the equivalent of allowable claim 10 and amended claim 1 is believed to be in condition for allowance. Since allowable claims 17 and 18 depend from amended claim 1, claims 17 and 18 are now also believed to be in condition for allowance.

With regard to the 35 U.S.C. 112, second paragraph rejection of independent claim 1, Applicants have used the Examiner's suggested correction of moving the term "a ligase" to the start of the phrase to read "using a ligase and a complementary sequence as a template." Applicants believe that amended claim 1 is now in condition for allowance.

Allowable Claims 31, 38, 39, and 40

Allowable claims 31, 38, 39, and 40 all depend from independent claim 21. Applicants have amended independent claim 21 to incorporate all of the limitations of claim 31 and to overcome the 35 U.S.C. 112, second paragraph rejection stated in numbered paragraph 5 of the Office Action mailed September 19, 2005. Original claim 31 has been cancelled. With these amendments, amended claim 21 now is the equivalent of allowable claim 31 and amended claim 21 is believed to be in condition for allowance. Since allowable claims 38, 39, and 40 depend from amended claim 21, claims 38, 39, and 40 are now also believed to be in condition for allowance.

With regard to the 35 U.S.C. 112, second paragraph rejection of independent claim 21, Applicants have made amendments to claim 21 to overcome the rejections. In numbered paragraph 5 of the Office Action mailed September 19, 2005, claim 21 was rejected because the term "making" was considered vague and indefinite and because the term "PC-ready" was considered vague and indefinite. Applicants have made amendments to claim 21 to change the term "making" to the term "constructing." Applicants have made amendments to claim 21 to remove the term "PC-ready." Applicants believe that amended claim 21 is now in condition for allowance.

Allowable Claims 52, 59, and 60

Allowable claims 52, 59, and 60 all depend from independent claim 42. Applicants have amended independent claim 42 to incorporate all of the

limitations of claim 52 and to overcome the 35 U.S.C. 112, second paragraph rejection stated in numbered paragraph 5 of the Office Action mailed September 19, 2005. Original claim 52 has been cancelled. With these amendments, amended claim 42 now is the equivalent of allowable claim 52 and amended claim 42 is believed to be in condition for allowance. Since allowable claims 59 and 60 depend from amended claim 42, claims 59 and 60 are now also believed to be in condition for allowance.

With regard to the 35 U.S.C. 112, second paragraph rejection of independent claim 42, Applicants have made amendments to claim 42 to overcome the rejections. In numbered paragraph 5 of the Office Action mailed September 19, 2005, claim 42 was rejected because the term "making" was considered vague and indefinite and because the term "PC-ready" was considered vague and indefinite. Applicants have made amendments to claim 42 to change the term "making" to the term "constructing." Applicants have made amendments to claim 42 to remove the term "PC-ready." Applicants believe that amended claim 42 is now in condition for allowance.

Other Objections and Rejections

The Office Action mailed September 19, 2005 contained other objections and rejections. Applicants have cancelled all of the claims that were the subject to these other objections and rejections.

SUMMARY

The undersigned respectfully submits that, in view of the foregoing amendments and the foregoing remarks, the rejections of the claims raised in the Office Action dated September 19, 2005 have been fully addressed and overcome, and the present application is believed to be in condition for allowance. It is respectfully requested that this application be reconsidered, that the claims be allowed, and that this case be passed to issue. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to call the undersigned attorney at (925) 424-6897.

Respectfully submitted,



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Dated: December 6, 2005